

REMARKS

Claims 9-13 have been canceled without prejudice. Claims 1-8 and 14-20 are still pending in the present application. Reexamination and allowance of the pending claims are respectfully requested.

First, the allowance of claim 20 is gratefully acknowledged.

Claims 1, 3, 4 and 6 stand rejected under 35 USC 102(b) as being anticipated by USP 6,612,453 to Joo Tai ("JT"). This rejection is respectfully traversed.

Independent claim 1 recites at least one opening provided in the covering that is used to define the tunnel-like passageway. See the openings 60 as referred to on page 4, lines 30-32, which are provided for amusement/game purposes. In contrast, JT is completely silent about the provision of any openings in its cloth 12. In addition, it would not be obvious to modify JT to provide openings in its cloth 12 because JT is directed to a storage basket 10. It would not be desirable for a storage basket to have openings through which stored items can escape or fall out of. Thus, claim 1, and claims 2-8 depending therefrom, are allowable over JT.

Claims 1, 2, 5, 6, 8-17 and 19 stand rejected under 35 USC 103(a) as being unpatentable over USP 5,064,195 to McMahan et al. ("McMahan") in view of USP 6,520,365 to Schneider ("Schneider"). This rejection is respectfully traversed.

First, claims 9-17 have been canceled without prejudice, thereby rendering moot the rejection of these claims.

Independent claim 1 recites at least one opening provided in the covering that is used to define the tunnel-like passageway. See the openings 60 as referred to on page 4, lines 30-32, which are provided for amusement/game purposes. In contrast, Schneider is completely silent about the provision of any openings in its fabric sidewall 18. Also, McMahan does not teach or suggest a coiled wire supporting a covering which is attached to the wire to define an interior tunnel-like passageway, with openings provided in the covering. Thus, even a combination of McMahan and Schneider will not yield the claimed invention in claim 1.

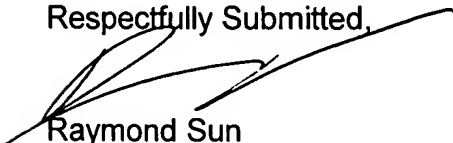
In addition, it would not be obvious to modify the container 10 in Schneider to provide openings in its sidewall 18 because Schneider is directed to a container. It would not be desirable for a container to have openings through which stored items can escape or fall out of. Thus, claim 1, and claims 2-8 depending therefrom, are allowable over the

combination of McMahan and Schneider.

Independent claim 14 recites a third tie member provided on the covering at a location between the first end and the second end. See tie members 48, 50 as referred to on page 4, lines 8-14 of the specification, with these tie members 48, 50 functioning to allow the length of the tunnel 14 to be reduced or varied. In contrast, neither McMahan nor Schneider teach or suggest tie members provided on the covering at a location between the first end and the second end of the covering. There is also no teaching or suggestion in Schneider about varying the length of the container 10. Thus, even a combination of McMahan and Schneider will not yield the claimed invention in claim 14.

In light of the above, allowance of all pending claims is respectfully requested. The Examiner is invited to telephone the undersigned if there are any amendments that may be needed to place this application in condition for allowance.

Respectfully Submitted,



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CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal service as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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